

REMARKS

Status of the Claims

Claims 1-9 and 20-21 are now present in this application. Claims 4 and 5 are independent. No new matter has been added by way of the present submission. For instance, Applicants have amended the claims to more clearly conform to the suggested basis for written description as suggested by the Examiner. New claims 20 and 21 similarly reflect such subject matter. Thus, no new matter has been added.

In view of the following remarks, the Examiner is respectfully requested to withdraw all rejections and allow the currently pending claims.

Claim Objections

The Examiner has objected to the claims asserting that the recitation of "...and the ratio of C¹/C² of C¹ to C² is in the range of 0.7 to 1.5" is redundant over the recitation of "ratio C/D of C to D is in the range of 0.7 to 1.5". Applicants respectfully submit that the "redundant" subject matter has been removed from the claims. Thus, it is respectfully requested that this objection be withdrawn.

Examiner Interview

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative during the personal interview which was conducted on March 5, 2010. During the interview, proposed changes to the claims were discussed to remove all outstanding rejections. The claims have now been amended in the manner discussed during the interview, and are believed to place the application into condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Issues Under 35 U.S.C. § 112, first paragraph (Written Description)

Claims 4-9 stand rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed.

(A) “average surface pore size A of 0.7 to 10 μm ”

The Examiner finds that the recitation of “average surface pore size A of 0.7 to 10 μm ” is new matter. The Examiner suggests replacing “0.7 to 10 μm ” with “0.1 to 10 μm .¹” Accordingly, Applicants have adopted this suggested amendment herein. Thus, this rejection is moot. Reconsideration and withdrawal thereof are respectfully requested.

(B) and (D) “an average surface porosity C of from 50% to 80%”

The Examiner continues to maintain that the recitation of “an average surface porosity C of from 50% to 80%” constitutes new matter. Applicants have adopted the recitation of “an average surface porosity C of from 48% to 80%”, which has been indicated by the Examiner to be acceptable (see top of page 4 and bottom of page 4 of Office Action). Applicants have also adopted dependent claim language (see new claims 20 and 21), which recite an average surface porosity C of from “60% to 80%”, which has also been indicated by the Examiner to be acceptable. Thus, these issues are moot. Reconsideration and withdrawal thereof are respectfully requested.

(C) “a maximum inside pore size is 5.1 μm or less”

Applicants have removed the above-rejected limitation from the claims. Thus, this issue is moot. Reconsideration and withdrawal thereof are respectfully requested.

In view of the above, Applicants respectfully submit that the claims, as amended, comply with the enablement and written description requirements of 35 U.S.C. § 112, first paragraph. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie, Registration

No. 42,874 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: MAR 30 2010

Respectfully submitted,

By  MAR 30 2010 # 42874

Marc S. Weiner

Registration No.: 32181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000